

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 18 of 32 of December 15, 2010 Amendment and SIDS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants direct the Examiner's attention to the following references which are listed on the Form PTO-1449 (Substitute) attached hereto as **Exhibit 1**.

Items 1-104 listed below have been submitted to or provided by the United States Patent and Trademark Office in related patent applications. Applicants attach hereto as **Exhibit 2** a table listing locations where a copy of each listed reference may be found. Applicants respectfully direct the Examiner to the Image File Wrapper of the appropriate related application for a copy of the reference.

Items 1-9 were mailed by the UK Intellectual Property Office on November 2, 2010 in connection with a counterpart foreign patent, GB 2,353,282. Items 6, 8, and 9 were previously considered by the Examiner as evidenced by an initialed Form PTO-1449 bearing a PAIR date of May 30, 2006. Item 7 was previously considered by the Examiner as evidenced by an initialed Form PTO-1449 bearing a PAIR date of March 9, 2010.

1. November 2, 2010 Communication from the UK Intellectual Property Office in connection with GB 2353282, including a Request for Revocation Under s72 UK Patent Act 1977 filed September 29, 2010 and amended Request for Revocation Under s72 UK Patent Act 1977 filed October 28, 2010;
2. PCT International Publication No. WO95/08350, published March 30, 1995 (Reed);

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 19 of 32 of December 15, 2010 Amendment and SIDS

3. PCT International Publication No. WO94/07367, published April 14, 1994 (Moelling);
4. European Patent No. EP 0532380, granted January 7, 1999 (Miyata et al.);
5. Ecker, J.R., Davis, R.W., (1986) "Inhibition of gene expression in plant cells by expression of antisense RNA," PNAS 83(15): 5372-5376;
6. Fire et al. (1998) "Potent and Specific Genetic Interference by Double-Stranded RNA in *Caenorhabditis elegans*" Nature 391:806-822;
7. Stam et al. (1997) "Post-Transcriptional Silencing of Chalcone Synthase in *Petunia* by Inverted Transgene Repeats," The Plant Journal Vol. 12, No. 1, pp. 63-82;
8. Pal-Bhadra, M., Bhadra U. and Birchler, J.A. (1997) "Cosuppression in *Drosophila*: Gene Silencing of Alcohol Dehydrogenase by White-Adh Transgenes is Polycomb Dependent" Cell 90(3):479-90;
9. Romano, N., et al. (1992) "Quelling: Transient Inactivation of Gene Expression in *Neurospora Crassa* by Transformation with Homologous Sequences" Molecular Microbiology 6(22): 3343-3353;
10. Office Action issued October 1, 2009 in connection with U.S. Serial No. 10/571,384, filed June 1, 2006;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 20 of 32 of December 15, 2010 Amendment and SIDS

11. Notification of Non-compliant Appeal Brief in Ex Parte Reexamination issued October 22, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively;
12. Communication in Response to Notification of Non-compliant Appeal Brief submitted November 2, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively;
13. Amendment submitted November 5, 2009 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
14. Office Action issued November 4, 2009 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
15. Examiner's Answer issued January 7, 2010 in response to applicant's Appeal Brief filed 7/27/09 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively;
16. Supplemental Amendment To October 15, 2009 Amendment Filed In Response To May 15, 2009 Final Office Action, Summary of Examiner Interviews, And Supplemental Information Disclosure Statement submitted December 21, 2009 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 21 of 32 of December 15, 2010 Amendment and SIDS

17. Amendment in Response to May 15, 2009 Final Office Action as a Submission to Accompanying Request for Continued Examination submitted October 15, 2009 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
18. Supplemental Amendment to September 24, 2009 Amendment, Summary of December 17, 2009 Examiner Interview, and Supplemental Information Disclosure Statement submitted December 21, 2009 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
19. Terminal Disclaimer submitted November 11, 2009 in connection with U.S. Serial NO. 10/646,070, filed July 13, 2005;
20. Terminal Disclaimer submitted December 14, 2009 in connection with U.S. Serial NO. 10/646,070, filed July 13, 2005;
21. Office Action issued October 9, 2009 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
22. Declaration of David M. Stalker filed in opposition to Australian Patent Application No. 778474 (November 4, 2008);
23. Reply Brief to Examiner's Answer filed on 8/26/09, application no. 10/805,804;
24. Appeal Brief filed on 3/6/09 in Application No. 10/805,804;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 22 of 32 of December 15, 2010 Amendment and SIDS

25. Office Action issued December 8, 2009 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
26. Revised Amendment and Reply submitted August 10, 2009 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
27. Wolff et al. (1995) "Mutational analysis of human U6 RNA: stabilizing the intramolecular helix blocks the spliceosomal assembly pathway," Biochim. Biophys. Acta 1263: 39-44;
28. Image of U6 snoRNA secondary structure retrieved from
http://gene.fudan.sh.cn/snoRNASecStruct/Box%20C&D/Homo%20sapiens/U16_ss_p0001.jpg on 9/17/09;
29. Response submitted February 3, 2010 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
30. Advisory Action issued February 16, 2010 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
31. Notice of Allowability issued January 27, 2010 in connection with U.S. Serial No. 10/646,070, filed August 22, 2003;
32. Allen et al. (2007) "Development of strategies for conditional RNA interference," J. Gene Med. 9: 287-298;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 23 of 32 of December 15, 2010 Amendment and SIDS

33. U.S. Patent Publication No. 2005/0095199 A1, published May 5, 2005 (U.S. Serial No. 10/482,888, filed June 14, 2004; Steven Whyard et al.), including complete file history;
34. Office Action issued August 28, 2009 in connection with Canadian Patent Application No. 2455490, issued by the Canadian Intellectual Property Office;
35. Reply Brief to Examiner's Answer submitted on 3/8/10, in connection with merged Reexamination Control Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively;
36. Request for Oral Hearing submitted 3/8/10, in connection with merged Reexamination Control Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively;
37. Amendment in Response to October 9, 2009 Final Office Action as a Submission to Accompanying Request for Continued Examination submitted March 9, 2010 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
38. Office Action issued March 9, 2010 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
39. U.S. Serial No. 12/798,247, filed March 31, 2010 (Waterhouse et al.);
40. Office Action issued April 15, 2010 in connection with U.S. Serial No. 10/346,853, filed January 7, 2003;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 24 of 32 of December 15, 2010 Amendment and SIDS

41. Amendment as a Submission to Accompanying Request for Continued Examination submitted April 19, 2010 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
42. Examiner Interview Summary Record (PTOL - 413) issued April 15, 2010 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
43. Office Action issued April 21, 2010 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
44. U.S. Patent No. 5,413,906 (Eberle et al.), May 9, 1995;
45. U.S. Patent No. 5,602,242 (Ahlquist et al.), February 11, 1997;
46. Wharton et al. (1994) Journal of General Virology, 75:945-948;
47. Supplemental Information Disclosure Statement submitted April 27, 2010 in connection with U.S. Serial No. 10/646,070, filed August 22, 2003;
48. Appeal Brief submitted April 8, 2010 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
49. Amendment submitted February 12, 2010 in connection with U.S. Serial No. 11/841,737, filed August 20, 2007;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 25 of 32 of December 15, 2010 Amendment and SIDS

50. Final Rejection issued April 23, 2010 in connection with U.S. Serial No. 11/841,737, filed August 20, 2007;
51. Supplementary European Search Report issued February 12, 2010 in connection with European Patent Application No. 04761272;
52. European Patent Application No. 0784094 A1, published July 16, 1997;
53. European Patent Application No. 0779365 A2, published June 18, 1997;
54. PCT International Publication No. WO 98/50408 A1, published November 12, 1998;
55. PCT International Publication No. WO 03/095647 A2, published November 20, 2003;
56. Beck, J., et al. (1995), "Efficient hammerhead ribozyme-mediated cleavage of the structured hepatitis B virus encapsidation signal in vitro and in cell extracts, but not in intact cells," Nucleic Acids Research, vol. 23, no. 24: 4954-4962;
57. De Angelis, F.G., et al. (2002), "Chimeric snRNA molecules carrying antisense sequences against the splice junctions of exon 51 of the dystrophin pre-mRNA induce exon skipping and restoration of a dystrophin synthesis in delta 48-50 DMD cells," PNAS, vol. 99, no. 14: 9456-9461;
58. Suter, D., et al. (1999), "Double-target antisense U7 snRNAs promote efficient skipping of an aberrant

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 26 of 32 of December 15, 2010 Amendment and SIDS

- exon in three human beta-thalassemic mutations,"
Human Molecular Genetics, vol. 8: 2415-2423;
59. Baulcomb (1996), "Mechanisms of Pathogen-Derived Resistance to Viruses in Transgenic Plants," Plant Cell, vol 8:1833-1844;
 60. U.S. Patent No. 6,451,603 (Atkins et al.), September 17, 2002;
 61. Nobelprize.org: The Nobel Prize in Physiology or Medicine 2006, Press Release of the Nobel Assembly at Karolinska Institute (October 2, 2006);
 62. Genbank Accession No. L26296, June 28, 1994;
 63. Genbank Accession No. AF 124360, July 21, 2000;
 64. Genbank Accession No. A65102, November 14, 2006;
 65. Genbank Accession No. AF043841, June 5, 1999;
 66. U.S. Patent No. 6,919,466 (Lightner et al.), July 19, 2005;
 67. U.S. Published Application No. 2002/0166144 (Green et al.), November 7, 2002;
 68. Request for Ex Parte Reexamination of U.S. Patent No. 7,138,565, including Exhibits A-K, submitted April 9, 2010;
 69. Notice of Reexamination Request Filing Date, issued April 20, 2010 in connection with Reexamination Control No. 90/009,722, filed April 12, 2010;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 27 of 32 of December 15, 2010 Amendment and SIDS

70. Notice of Assignment of Reexamination Request, issued April 20, 2010 in connection with Reexamination Control No. 90/009,722, filed April 12, 2010;
71. Order Granting Request for Ex Parte Reexamination, issued May 13, 2010 in connection with Reexamination Control No. 90/009,722, filed April 12, 2010;
72. Reply to the November 4, 2009 Office Action submitted May 4, 2010 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
73. Office Action issued September 12, 2008 in connection with U.S. Serial No. 11/593,056, filed November 6, 2006;
74. Amendment submitted March 12, 2009 in connection with U.S. Serial No. 11/593,056, filed November 6, 2006;
75. Office Action issued June 24, 2009 in connection with U.S. Serial No. 11/593,056, filed November 6, 2006;
76. Amendment submitted December 23, 2009 in connection with U.S. Serial No. 11/593,056, filed November 6, 2006;
77. Final Office Action issued March 24, 2010 in connection with U.S. Serial No. 11/593,056, filed November 6, 2006;
78. Doelling et al. (1995), PNAS Vol 8:683-692;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 28 of 32 of December 15, 2010 Amendment and SIDS

79. Examination Report issued May 10, 2010 in connection with European Patent Application No. 02748428.6;
80. Office Communication issued June 8, 2010 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
81. Issue Notification issued June 23, 2010 in connection with U.S. Serial No. 10/646,070, filed August 22, 2003;
82. Office Communication issued June 11, 2010 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
83. June 17, 2010 Declaration of Interference issued in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
84. June 15, 2010 Amendment in Response to March 9, 2010 Office Action, Summary of April 8, 2010 Examiner Interview, and Supplemental Information Disclosure Statement submitted in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
85. Communication in Response to December 30, 2009 Office Action, Petition for Three-Month Extension of Time and Supplemental Information Disclosure Statement submitted June 30, 2010 in connection with U.S. Serial No. 10/482,888, filed June 14, 2004;
86. June 15, 2010 Supplemental Information Disclosure Statement submitted in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 29 of 32 of December 15, 2010 Amendment and SIDS

87. September 29, 2010 Decision of the BPAI in connection with merged Reexamination Control Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively;
88. September 1, 2010 Notice of Allowance issued in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
89. U.S. Patent No. 7,754,697 issued July 13, 2010 (Graham et al.);
90. September 22, 2010 Final Office Action issued in connection with U.S. Serial No. 10/482,888, filed June 14, 2004;
91. Examiner's Answer issued July 7, 2010 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
92. Reply Brief submitted September 7, 2010 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
93. Redeclaration of Interference issued July 6, 2010 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
94. Redeclaration of Interference issued September 10, 2010 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
95. Office Action issued September 30, 2010 in connection with Reexamination Control No. 90/009,722, filed April 12, 2010;

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 30 of 32 of December 15, 2010 Amendment and SIDS

96. U.S. Patent No. 6,146,886, issued November 14, 2000 (Thompson);
97. EP 0387775, granted September 19, 1990 (Beug);
98. PCT International Publication No. WO 00/63397, published October 26, 2000 (Meulewaeter);
99. Waibel et al. (1990) "RNA polymerase specificity of transcription of Arabidopsis U snRNA genes determined by promoter element spacing," Letters to Nature, vol 346, pp. 199-202);
100. Waibel et al., (1990) "U6 snRNA genes of Arabidopsis are transcribed by RNA polymerase III but contain the same two upstream promoter elements as RNA polymerase II transcribed U-snRNA genes," Nucleic Acids Research, vol 18, no. 12, pp. 3451-3458;
101. Marshallsay et al. (1992) "Characterization of the U3 and U6 snRNA genes from wheat: U3 snRNA genes in monocot plants are transcribed by RNA polymerase III," Plant Molecular Biology, vol. 19, pp. 973-983;
102. Redecaration of Interference issued November 17, 2010 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
103. December 9, 2010 Petition to Withdraw from Issue Pursuant to 37 C.F.R. 1.313(c), including a Request for Continued Examination, Amendment, and Supplemental Information Disclosure Statement submitted in connection with U.S. Serial No. 10/759,841, filed January 15, 2004; and

Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 31 of 32 of December 15, 2010 Amendment and SIDS

104. November 30, 2010 Amendment submitted in connection
with Reexamination Control No. 90/009,722, filed
April 12, 2010.

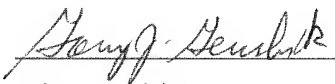
This Supplemental Information Disclosure Statement is being
submitted under 37 C.F.R. § 1.97(b)(4), before the mailing of a
first Office Action after the submission of a Request for
Continued Examination (RCE) in connection with the subject
application. Accordingly, no fee is required for filing this
Supplemental Information Disclosure Statement.

If a telephone interview would be of assistance in advancing
prosecution of the subject application, Applicants' undersigned
attorney invites the Examiner to telephone him at the number
provided below.


Applicants : Michael Wayne Graham et al.
Serial No. : 10/821,726
Filed : April 8, 2004
Page 32 of 32 of December 15, 2010 Amendment and SIDS

No fee, other than the total fee of \$1,430.00 (fee of \$810.00 for filing a RCE, fee of \$490.00 for a two-month extension of time, and fee of \$130.00 for a Request to Correct Inventorship), is deemed necessary in connection with the filing of this Amendment and Supplemental Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Gary J. Gershik
Registration No. 39,992
Attorneys for Applicants
Cooper & Dunham LLP
30 Rockefeller Plaza
20th Floor
New York, New York 10112
(212) 278-0400

Certificate of Transmission	
I hereby certify that this correspondence is being transmitted via the Electronic Filing System (EFS) to the U.S. Patent and Trademark Office on December 15, 2010.	
 Adam C. Krol Reg. No. 64,351	<u>12/15/10</u> Date